

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
ENTERED

MAR 31 2004

SHAMEKA ANDREA SMITH,  
TDCJ-ID No.807525,  
Plaintiff,

v.

STATE BAR OF TEXAS,  
Defendant.

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CIVIL ACTION NO. H-04-1012

Michael N. Milby, Clerk of Court

MEMORANDUM AND ORDER ON DISMISSAL

Plaintiff Shameka Andrea Smith, a state inmate incarcerated in the Texas Department of Criminal Justice-Correctional Institutional Division (“TDCJ-ID”), proceeding *pro se* filed this civil rights complaint alleging that the State Bar of Texas wrongfully denied a grievance that she filed against her retained counsel. (Docket Entry No.1). The complaint is duplicative of the one that plaintiff filed in Civil Action No.H:04-1013, which the Court dismissed on March 29, 2004. *See Smith v. The State Bar of Texas*, Civil Action No.H:04-1013 (S.D. Tex. March 29, 2004). Because plaintiff filed the complaints on the same day, the Court presumes that the present file was opened inadvertently. Accordingly, plaintiff's complaint is dismissed without prejudice and all pending motions are DENIED as moot.

Signed at Houston, Texas, on March 29, 2004.

Melinda Harmon  
MELINDA HARMON  
UNITED STATES DISTRICT JUDGE

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